



State of Tennessee Department of Children's Services

## **Administrative Policies and Procedures: 14.4**

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### **Subject: Investigative Jurisdiction of Child Protective Services Cases**

Supersedes: DCS 14.4, 04/01/01

**Local Policy: No**  
**Local Procedures: No**  
**Requires Training: No**

**Approved by:**

**Effective date: 04/01/01**

**Revision date: 01/01/02**

### **Application**

To All Department of Children's Services Child Protective Services Employees.

**Authority:** TCA 37-5-106; 37-1-405; 37-1-406; 37-1-607

### **Policy**

Reports alleging the abuse and/or neglect of children shall be assigned for investigation in the appropriate jurisdiction. This decision is based on several factors including the involvement of the Child Protective Investigative Team (CPIT), the current location of the child, current location of the alleged perpetrator, and the jurisdiction where the abuse or neglect reportedly occurred.

### **Procedures**

#### **A. Jurisdiction on cases requiring Child Protective Investigative Team (CPIT) involvement**

1. Cases involving Child Protective Investigative Team (CPIT) shall be assigned to a case manager in the jurisdiction where the alleged abuse occurred.
2. If neither the alleged victim nor the alleged perpetrator lives in the jurisdiction where the alleged abuse occurred, then the CPIT shall confer and decide how investigative tasks will be completed.
3. The CPIT may decide to conduct its own interviews and investigative activities outside the county but within the same DCS region. The team leader must be advised of this decision, and this notification to the team leader shall be documented in the case narrative.

4. With the approval of the team coordinators of both regions, the CPIT may decide to conduct its own investigative activities across DCS regional lines. The approvals of the team coordinator must be documented in the case narrative.
5. Finally, the CPIT may exercise its option to request staff from another county where a victim, perpetrator, or other key party is located, to conduct an out-of-county interview and provide a transcript or report of the interview to the requesting CPIT. If the safety of the child is jeopardized, the county where the child resides may take action necessary to protect the child.
6. After gathering all investigative information from local and/or out-of-county interviews, the assigned case manager will present this information to the staff of the county of jurisdiction for a formal staffing to determine the classification.

**B. Jurisdiction on cases that do not involve CPIT**

1. If the allegations do not require the involvement and notification of the CPIT, then the investigation shall be assigned to a case manager in the county where the child resides with his/her parent or caretaker.
2. If the investigation requires interviews and case contacts in another county within the region, the team leader and case manager may decide to allow the assigned case manager to conduct these investigative activities, or may request out-of-county interviews. The case manager may conduct investigative activities across regional lines with the approval of the team coordinators of both regions. Communications with team leaders and team coordinators from each region shall be documented in the case narrative.
3. If a child's county of residence is unknown, the investigation shall be assigned to a case manager in the county where the child is currently located.

**C. Child temporarily residing outside the home**

1. If a report involves a child victim who is temporarily residing outside of his or her own home, and the alleged abuse occurred in that setting, (e.g. with relatives or in a residential setting or placement), the case shall be assigned to a case manager in the county where the alleged abuse occurred.
2. **Example:** If an alleged incident occurred in a setting such as a childcare facility, school, etc., then the case shall be assigned in the county where the alleged abuse occurred.

3. **Exception:** If the child is in a residential treatment setting and the parents fail to communicate with the facility, refuse to participate in discharge planning for the child, or are unable to make a discharge plan for the child, the case shall be assigned to the county where the parents reside.

**D. Investigations  
involving other  
states**

1. If the report involves abuse or neglect that allegedly occurred in another state and the alleged victim is physically present in the state of Tennessee at the time the report is received, the case shall be assigned for investigation in the county where the child is residing, visiting or is otherwise physically present in Tennessee.
2. If it has been established that abuse occurred out of state, DCS shall not classify the abuse but may classify substantial risk of physical or sexual abuse if there is sufficient evidence.
3. The assigned case manager shall verbally inform the proper authority in the other state of the allegations and offer to conduct investigative interviews with parties in Tennessee. This verbal notification shall be documented in the case file. After completion of investigative interviews, the case manager will forward copies of the investigative file to the other state. The case manager shall ensure the child's safety and refer for any needed services.
4. If it is not clear which state the incident occurred in, then Tennessee will assume jurisdiction and the investigation shall be assigned to a case manager in the county where the alleged victim is residing, visiting, or is otherwise physically present. This same county will take responsibility for classification.
5. If neither the alleged perpetrator nor the alleged victim live in the state of Tennessee, but the incident allegedly occurred in Tennessee and the child was not physically present in the state of Tennessee at the same time of the report, then the case will not be assigned, but referred to the law enforcement agency within the jurisdiction where the incident allegedly occurred.

**E. Obtaining  
assistance from  
another county**

1. When a CPS case manager needs assistance from staff in another county to complete out-of-county interviews or any other investigative task, the case manager shall request assistance from the other county by:
  - a) Securing the approval of his/her team leader, and
  - b) Contacting the team leader in the county from which assistance is requested to notify him/her of the need to

perform the requested task(s) within a specific time frame.

2. The out-of-county case manager assigned to conduct the interview(s) shall complete the interview(s) no later than 10 working days from the date of the request, unless the requesting county has indicated an emergency need for the information to ensure the safety of children.
3. The case manager shall give proxy to the out-of-county case manager for the purpose of making recordings directly into TN KIDS.
4. The out-of-county case manager assigned to assist in the investigation may be required to testify in the court of the originating county.
5. The out-of-county case manager may be required to attend the Child Protective Investigative Team (CPIT) staffing in the originating county.

**F. Requesting assistance from another state**

1. If an investigation requires an out-of-state investigative contact, the case manager must first verbally request it from the appropriate out-of-state agency.
2. The case manager must follow up each verbal request with a written request and must place a copy of the written request in the case file. Any available information may be shared with the other state in order to facilitate their investigation.
3. The case manager must request out-of-state investigative contacts promptly enough that the out-of-state agency can make the investigative contact within the time frames required by CPS.
4. If the case manager does not quickly receive the requested information from the out-of-state agency, the case manager must note in the case file, every two weeks, the reasons for the delay and the actions the case manager has taken to secure the requested information.

**Forms**

None

**Collateral Documents**

*None*

## **Standards**

None